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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/083,150	05/22/1998	BOUDIAF BOUSSOIRA	057250306000	3636
7590	06/01/2004			
FINNEGAN HENDERSON FARABOW GARRETT & DUNNER 1300 I STREET N W WASHINGTON, DC 200053315			EXAMINER WEBMAN, EDWARD J	
			ART UNIT 1617	PAPER NUMBER

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Paper No. 20040503

Application Number: 09/083,150  
Filing Date: May 22, 1998  
Appellant(s): BOUSSOUIRA ET AL.

**MAILED**  
**JUN 01 2004**  
**GROUP**

\_\_\_\_\_  
N. WANG  
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/3/04.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

**(3) Status of Claims**

The statement of the status of the claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Invention**

The summary of invention contained in the brief is correct.

**(6) Issues**

The appellant's statement of the issues in the brief is correct.

**(7) Grouping of Claims**

Appellant's brief includes a statement that <sup>the</sup> claims do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

**(8) Claims Appealed**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(9) Prior Art of Record**

<sup>The following</sup> prior art is relied upon by the examiner in the rejection of the claims under appeal.

5,449,519	WOLF	9-1995
5,679,374	FANCHON	10-1997
5,569,651	GARRISON	10-1996

**(10) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-28, 33-35, 37 are rejected under 35 U.S.C. 103. This rejection is set forth in prior Office Action, Paper No. 8/29/03.

**(11) Response to Argument**

Applicants ~~counted~~<sup>contend</sup> that Wolf does not teach applicants' claimed polymer, but rather, a complex. Applicants further contend that the polymer is chemically modified, pointing to language in Wolf et al that "that salicylic acid will react with the free amino groups on the carrier molecule to form a complex." However, applicants ignore the first sentence of the paragraph (column 3 lines 10-12) which states that "Salicylic acid and Resorcinol have free acid groups which will ionically bond to the free amino groups of proteins and polymers." The examiner opines that in such ionic bonding the chemical structure of the polymer remains unchanged. Applicants, contrary to their intent, support the examiner's position by citing to column 2 lines 7-11 which discloses the dissociation of the Keratolytic compound from the carrier molecule. That is, the Keratolytic compound can dissociate because the binding applicants argue is ionic rather covalent binding.

For the above reasons, it is believed that the rejections should be sustained.

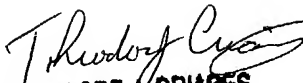
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Respectfully submitted,


Webman/tgd  
May 4, 2004

Conferees

  
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